

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

MYRNA I. JOHNSON,

Plaintiff,

vs.

FRED MEYER STORES, INC., a  
Delaware Corporation, and  
JAIME SAN MIGUEL,

Defendants.

Case No. 1:04-CV-0008-RRB

**ORDER DENYING MOTIONS**  
**IN LIMINE AT DOCKET 47**

Before the Court are Defendants Fred Meyer Stores, Inc. and Jaime San Miguel (collectively "Defendants") with an Omnibus Motion in Limine at Docket 47, which seeks to exclude various statements by Plaintiff and her co-workers on the grounds that the testimony is incompetent, irrelevant, improper character evidence, hearsay, overly prejudicial, and lacks foundation. Plaintiff opposes at Docket 55.

After reviewing the testimony and counsels' arguments, the Court concludes that a final analysis of the witnesses' competence to testify, relevance, admissibility of hearsay under

pertinent exceptions, appropriateness of alleged character evidence, the basis for the witnesses' knowledge, and the potential for undue prejudice must await trial.

The Court therefore **DENIES** Defendants' Omnibus Motions in Limine without prejudice.

ENTERED this 9<sup>th</sup> day of February, 2007.

S/RALPH R. BEISTLINE  
UNITED STATES DISTRICT JUDGE